

EXCERPTS FOR ELECTRICAL CONTRACTORS

(For Complete text, see www.sos.state.ga.us/plb/construct.)

EXCERPTS FROM THE CONSTRUCTION INDUSTRY LICENSING

BOARD ACT O.C.G.A. 43-14

43-14-2. Definitions - Excerpts

(6) "Electrical contracting" means the installation, maintenance, alteration, or repair of any electrical equipment, apparatus, control system, or electrical wiring device which is attached to or incorporated into any building or structure in this state but shall not include low voltage contracting.

(7) "Electrical contractor" means any person who engages in the business of electrical contracting under express or implied contract or who bids for, offers to perform, purports to have the capacity to perform, or does perform electrical contracting services under express or implied contract. The term "electrical contractor" shall not include a person who is an employee of an electrical contractor and who receives only a salary or hourly wage for performing electrical contracting work.

43-14-8 Licensing of persons engaged in business of electrical contracting, plumbing, or conditioned air contracting; conducting of such businesses by corporations and partnerships. - Excerpts

(a) No person shall engage in the electrical contracting business as an electrical contractor unless such person has a valid license from the Division of Electrical Contractors and a certificate of competency, if such certificates are issued by the division pursuant to subsection (b) of Code Section 43-4-6.

(f) No partnership or corporation shall have the right to engage in the business of electrical contracting unless there is regularly connected with such partnership or corporation a person or persons actually engaged in the performance of such business on a full-time basis who have valid licenses issued to them as provided for in this chapter

43-14-13. Applicability of Chapter - Excerpts

(a) This chapter shall apply to all installations, alterations, and repairs of plumbing, air conditioning and heating, or electrical or low-voltage wiring or utility systems within or on public or private buildings, structures, or premises except as otherwise provided in this Code section.

(b) Any person who holds a license issued under this chapter may engage in the business of plumbing, electrical contracting, conditioned air contracting, low-voltage contracting, or utility contracting but only as prescribed by the license, throughout the state; and except as provided in Code Section 43-14-12, no municipality or county may require such person to comply with any additional licensing requirements imposed by such municipality or county.

(c) This Chapter shall not apply to the installation, alteration, or repair of plumbing, air-conditioning and heating, utility systems, or electrical services, except low-voltage wiring services, up to and including the meters where such work is performed by and is an integral part of the system owned or operated by a public service corporation, electrical, water, or gas department of any municipality in this state, a railroad company, a pipeline company, or a mining company in the exercise of its normal function as such.

(d) This chapter shall not prohibit an individual from installing, altering, or repairing plumbing fixtures, air conditioning and heating, air conditioning and heating fixtures, utility systems, or electrical or low-voltage wiring services in a residential dwelling owned or occupied by such individual; provided, however, that all such work must be done in conformity with all other provisions of this chapter, the rules and regulations of the board, and any applicable county or municipal resolutions, ordinances, codes, or inspection requirements.

(e) This chapter shall not prohibit an individual employed on the maintenance staff of a facility owned by the state or by a county, municipality, or other political subdivision from installing, altering, or repairing plumbing, plumbing fixtures, utility systems, or electrical or low-voltage wiring services when such work is an integral part of the maintenance requirements of the facility; provided, however, that all such work must be done in conformity with all

other provisions of this chapter and the orders, rules, and regulations of the board.

f) This chapter shall not prohibit any person from installing, altering, or repairing plumbing, plumbing fixtures, air-conditioning and heating fixtures, utility systems, or electrical or low voltage wiring services in a farm or ranch service building or as an integral part of any irrigation system on a farm or ranch when such system is not located within 30 feet of any dwelling or any building devoted to animal husbandry. Nothing in this subsection shall be construed to limit the application of any resolution, ordinance, code, or inspection requirements of a county or municipality relating to such connections.

(h) This chapter shall not apply to the installation, construction, or maintenance of power systems for the generation or distribution of electrical current constructed under the National Electrical Safety Code, which regulates the safety requirements of utilities; but the interior wiring regulated by the National Electrical Safety Code would not be exempt and must be done by an electrical contractor except as otherwise provided by law.

(j) This chapter shall not apply to regular full-time employees of an institution, manufacturer, or business who perform plumbing, electrical, low voltage wiring, utility contracting, or conditioned air work when working on the premises of that employer.

(k) This chapter shall not apply to persons licensed as manufactured or mobile home installers by the state fire marshal when:

(1) Coupling the electrical connection from the service entrance panel outside the manufactured housing to the distribution panel board inside the manufactured housing;

(2) Connecting the exterior sewer outlets to the above-ground water system; or

(3) Connecting the exterior water line to the above-ground water system.

EXCERPTS FROM PROFESSIONAL LICENSING BOARD'S GENERAL PROVISION O.C.G.A. 43-1.

43-1-19. Grounds for refusing to grant or revoking licenses - Excerpts

(a) A state examining board shall have the authority to refuse to grant a license to an applicant therefor or to revoke the license of a person licensed by that board or to discipline a person licensed by that board, upon a finding by a majority of the entire board that the licensee or applicant has:

(1) Failed to demonstrate the qualifications or standards for a license contained in this Code section, or under the laws, rules, or regulations under which licensure is sought or held; it shall be incumbent upon the applicant to demonstrate to the satisfaction of the board that he meets all the requirements for the issuance of a license, and, if the board is not satisfied as to the applicant's qualifications, it may deny a license without a prior hearing; provided, however, that the applicant shall be allowed to appear before the board if he so desires;

(2) Knowingly made misleading, deceptive, untrue, or fraudulent representations in the practice of a business or profession licensed under this title or on any document connected therewith; or practiced fraud or deceit or intentionally made any false statement in obtaining a license to practice the licensed business or profession; or made a false statement or deceptive registration with the board;

(3) Been convicted of any felony or of any crime involving moral turpitude in the courts of this state or any other state, territory, or country or in the courts of the United States; as used in this paragraph and paragraph (4) of this subsection, the term "felony" shall include any offense which, if committed in this state, would be deemed a felony, without regard to its designation elsewhere; and, as used in this paragraph, the term "conviction" shall include a finding or verdict of guilty or a plea of guilty, regardless of whether an appeal of the conviction has been sought;

(4) Been arrested, charged, and sentenced for the commission of any felony, or any crime involving moral turpitude, where:

(A) First offender treatment without adjudication of guilt pursuant to the charge was granted; or

(B) An adjudication of guilt or sentence was otherwise withheld or not entered on the charge, except with respect to a plea of nolo contendere.

The order entered pursuant to the provisions of Article 3 of Chapter 8 of Title 42, relating to probation of first offenders, or other first offender treatment shall be conclusive evidence of arrest and sentencing for such crime;

(5) Had his license to practice a business or profession licensed under this title revoked, suspended, or annulled by any lawful licensing authority other than the board; or had other disciplinary action taken against him by any such lawful licensing authority other than the board; or was denied a license by any such lawful licensing authority other than the board, pursuant to disciplinary proceedings; or was refused the renewal of a license by any such lawful licensing authority other than the

board, pursuant to disciplinary proceedings;

(6) Engaged in any unprofessional, immoral, unethical, deceptive, or deleterious conduct or practice harmful to the public, which conduct or practice materially affects the fitness of the licensee or applicant to practice a business or profession licensed under this title, or of a nature likely to jeopardize the interest of the public, which conduct or practice need not have resulted in actual injury to any person or be directly related to the practice of the licensed business or profession but shows that the licensee or applicant has committed any act or omission which is indicative of bad moral character or untrustworthiness; unprofessional conduct shall also include any departure from, or the failure to conform to, the minimal reasonable standards of acceptable and prevailing practice of the business or profession licensed under this title;

(7) Knowingly performed any act which in any way aids, assists, procures, advises, or encourages any unlicensed person or any licensee whose license has been suspended or revoked by a state examining board to practice a business or profession licensed under this title or to practice outside the scope of any disciplinary limitation placed upon the licensee by the board;

(8) Violated a statute, law, or any rule or regulation of this state, any other state, the state examining board regulating the business or profession licensed under this title, the United States, or any other lawful authority (without regard to whether the violation is criminally punishable), which statute, law, or rule or regulation relates to or in part regulates the practice of a business or profession licensed under this title, when the licensee or applicant knows or should know that such action is violative of such statute, law, or rule; or violated a lawful order of the board previously entered by the board in a disciplinary hearing, consent decree, or license reinstatement;

(9) Been adjudged mentally incompetent by a court of competent jurisdiction within or without this state; any such adjudication shall automatically suspend the license of any such person and shall prevent the reissuance or renewal of any license so suspended for as long as the adjudication of incompetence is in effect;

(10) Displayed an inability to practice a business or profession licensed under this title with reasonable skill and safety to the public or has become unable to practice the licensed business or profession with reasonable skill and safety to the public by reason of illness, use of alcohol, drugs, narcotics, chemicals, or any other type of material; or

(11) Failed to comply with an order for child support as defined by Code Section 19-11-9.3; it shall be incumbent upon the applicant or licensee to supply a notice of release to the board from the child support agency within the Department of Human Resources indicating that the applicant or licensee has come into compliance with an order for child support so that a license may issue or be granted if all other conditions for licensure are met.

(b) The provisions of Chapter 13 of Title 50, the "Georgia Administrative Procedure Act," with respect to emergency action by a state examining board and summary suspension of a license are adopted and incorporated by reference into this Code section.

(c) For purposes of this Code section, a state examining board may obtain, through subpoena by the joint secretary, upon reasonable grounds, any and all records relating to the mental or physical condition of a licensee or applicant, and such records shall be admissible in any hearing before the board.

(d) When a state examining board finds that any person is unqualified to be granted a license or finds that any person should be disciplined pursuant to subsection (a) of this Code section or the laws, rules, or regulations relating to the business or profession licensed by the board, the board may take any one or more of the following actions:

(1) Refuse to grant or renew a license to an applicant;

(2) Administer a public or private reprimand, but a private reprimand shall not be disclosed to any person except the licensee;

(3) Suspend any license for a definite period or for an indefinite period in connection with any condition which may be attached to the restoration of said license;

(4) Limit or restrict any license as the board deems necessary for the protection of the public;

(5) Revoke any license;

(6) Condition the penalty upon, or withhold formal disposition pending, the applicant's or licensee's submission to such care, counseling, or treatment as the board may direct;

(7) Impose a fine not to exceed \$500.00 for each violation of a law, rule, or regulation relating to the licensed business or profession; or

(8) Impose on a licensee or applicant fees or charges in an amount necessary to reimburse an examining board for the administrative costs incurred by the board in conducting an investigative or disciplinary proceeding.

(e) In addition to and in conjunction with the actions described in subsection (d) of this Code section, a state examining board may make a finding adverse to the licensee or applicant but withhold imposition of judgment and penalty; or it may impose the judgment and penalty but suspend enforcement thereof and place the licensee on probation, which probation may be vacated upon noncompliance with such reasonable terms as the board may impose.

EXCERPTS FOR ELECTRICAL CONTRACTORS

(For complete text see www.sos.state.ga.us)

EXCERPTS FROM THE RULES OF THE STATE CONSTRUCTION INDUSTRY LICENSING BOARD

121-2-.01 Statewide Electrical Contractor License. Amended.

(1) To obtain a statewide class I or class II electrical contractor license, a person must submit a completed application, meet the experience requirements as described in Paragraph (2) of this rule, obtain a score of seventy (70) on the appropriate examination, and pay the fees required by the Board. An applicant must submit three references on the required form from persons who can attest to the applicant's good character and electrical experience to the satisfaction of the Division. At least one reference must be from a licensed electrical contractor who shall include his or her registration number. Statewide class I electrical contractor licenses are restricted to electrical contracting involving single-phase electrical installations which do not exceed 200 amperes at the service drop or the service lateral. Class II electrical contractor licenses are unrestricted.

(2) Applicants for statewide electrical contractor license must be a minimum of 21 years old and document a minimum of 4 years experience in the electrical field as would be covered by the Georgia Electrical Code or the National Electrical Code. Such experience must be Primary Experience. No more than one (1) year of experience may be credited based on Secondary Experience or Education. Secondary Experience time will be credited at a rate of fifty percent (50%). (For example, three (3) years of Primary Experience and two (2) years of Secondary Experience would meet the 4 years experience requirements). Applicants for Class II Licenses must document experience with installations in excess of single phase, 200 amperes systems.

(3) Primary Experience shall mean working experience gained through the direct installation of electrical systems of a type covered by the National Electrical Code and directly related activity. Primary Experience involves installation of electrical systems. The public welfare and overall live safety responsibility require that electrical contractor have actual in-the-field experience and be competent in all phases of electrical work. Nothing in this rule shall be construed to permit the unlicensed practice of electrical contracting. Applicants for Class II licenses must document prior experience in all of the following, and applicants for Class I license must document primary experience in at least 6 of the following:

(a) Installation of raceway systems, including pull boxes, junction boxes, conduit bodies and the connections in the system and to cabinets, panel boards, switchboards, and boxes, which meet all Code use and installation requirements.

(b) Installation of conductors, including flexible cords, cables, splices, taps, terminations, bonding jumpers, over current protective devices, metering devices, etc., in cabinets, panel boards, switchboards, boxes and conduit, which meet all Codes use and installation requirements, such as to sizing, capacity, voltage, etc.

(c) Installation of service entrances, metering devices, cabinets, switchboards, service risers and fasteners, over current protective devices, disconnecting means, ground electrodes, main bonding jumpers, and ground fault protectors which all meet Code installation requirements, such as to sizing, rating, clearances, and weatherproofing.

(d) Installation of motors and generators with feeders, branch circuits, over current protective devices, disconnect means, and controllers all of which meet Code installation requirements, such as sizing, rating, usage, and location.

(e) Installation of switches, disconnects, controls, etc., which supply lighting fixtures, appliances, electrical circuits, controls for heating and air conditioning equipment, other utilization and general use equipment, according to use and Code installation requirements.

(f) Installation of materials and equipment required for use in special occupancies according to use and Code installation requirements, as defined by Chapter 5 of the National Electrical Code.

(g) Bonding of interior metal piping systems, installation of properly sized equipment grounding conductors, grounding of exposed non current carrying metal parts of electrical equipment, and protection of grounding conductors from physical damage.

(h) Determination of general lighting loads, minimum branch circuits, minimum capacity of conductors in feeder and branch circuits, maximum allowable conductor fill for raceways, net loads, using specified or optional methods, rates or demand factors, and derating factors given in the Code.

(4) Secondary Experience shall mean work or training experience related to electrical contracting work involving electrical systems covered by the National Electrical Code. Examples of Secondary Experience may include:

- (a) Instruction received on electrical installation, theory, and code by a full-time secondary or post secondary instructor in an established class at a recognized learning center.
 - (b) Inspection of electrical wiring by a full-time municipal or county inspector.
 - (c) Electrical engineering design by a registered professional engineer.
 - (d) Work for a licensed electrical contractor with sole responsibility in at least three (3) of the following areas: estimating; project management; scheduling and assigning work; preparing progress charts (CPM's or other flow charts); sales and cash flow responsibilities such as budgetary, preparation of pay request, invoices, etc.
 - (e) Installation of electrically lighted signs.
- (5) Education may be applied toward the experience requirements as follows:
- (a) Completion of a two (2) academic year minimum diploma.
 - (b) Completion of a two (2) academic year minimum certificate program of a vocational-technical school may be credit as no more than one (1) year of experience.
- (6) The Board, in its discretion, may allow for the oral administration of the examination. Requests for oral administration of the examination must be received in writing and approved by the Division prior to the examination being scheduled. In conjunction with any request for oral administration of the examination, the applicant shall give full and complete explanation of any physical, emotional, or educational limitation. The decision of the Division concerning such a request is final.

121-2.05 Statewide License by Endorsement .

- (1) A person may be issued a contractor, master, journeyman, or manager license by submitting a completed application which documents that he meets the prerequisite experience requirements and holds a current out of state license in an appropriate classification based on passing an examination issued and conducted by a licensing board qualifying under paragraph (2) of this rule, with the required application fee and license fee.
- (2) To qualify for purposes of this rule, an out of state licensing board must conduct examinations and have requirements which are substantially equal to the examination and requirements of this board at the time the application for license is filed with this board, provided that a similar privilege is offered to persons licensed under this board, and that a formal written agreement exists between the subject's licensing boards. The type and classification of license issued will be determined by this Board based on the requirements of the other licensing board.
- (3) The appropriate division of the board may deny a license under this rule if it appears that the applicant is attempting to circumvent the requirements of Georgia law by first becoming licensed in another state, or if the applicant has committed any act which would be grounds for disciplinary action in this State.
- (4) Persons licensed under grandfather provisions who have not passed an examination conducted by a licensing board qualifying under paragraph (2) of this rule will not qualify for license under this rule.

121-2.06 Review Course for Re-examination.

- (1) Any applicant for conditioned air contractor, electrical contractor, master plumber or journeyman plumber who takes and fails the examination twice after July 1, 1989, must present satisfactory evidence to the appropriate division of the board that the applicant has completed a board approved review course before such applicant will be scheduled for a third examination. If such applicant fails the examination a third time, the applicant shall not be required to complete additional courses prior to taking subsequent examinations.
- (3) To be approved, an outline of the review course must be submitted to the appropriate division of the board. Such outline must list the topics covered, the actual time of instruction, the name of the instructor, and other information determined necessary for division review. The review course must meet one of the following:
 - (a) a course which covers code requirements conducted by a college, postsecondary technical school, or a military service; or
 - (b) a course of a minimum of 6 hours of actual instruction, conducted by an instructor who holds a contractor or master license in the appropriate trade and who has prior teaching or training experience acceptable to the appropriate division. The course must cover the following topics:
 - 1. a review of examination topics;
 - 2. a review of examinations references;
 - 3. instruction on code, calculations, and other examination topics;
 - 4. instructions on testing skills;
 - 5. instructions on study and examination preparation skills; and
 - 6. other related topics acceptable to the division; or
 - (c) a course of a minimum of 6 hours of actual instruction related to code or industry practices, conducted by an instructor who

holds a contractor or master license in the appropriate trade and who has prior teaching and training experience acceptable to the appropriate division.

(d) a correspondence course related to code or industry practices, the successful completion of which is determined by a written evaluation, which is acceptable to the division;

121-3-.02 Confidentiality of Applicant and Examination Information.

(1) Applications for examination and the names of applicants shall be confidential and shall not be disclosed without written authorization from the applicant and approval by the appropriate division. Personal references submitted by third parties as part of an application shall not be disclosed to the applicant without written authorization from the person who submitted the reference and approval by the appropriate division.

(2) No applicant may remove from the examination room any examination material or notes on the examination. All examination material and notes made by the applicant during the examination must be given to the examination proctor before leaving the examination room. Any applicant who removes examination materials or notes from the examination room or who shares information on examination questions or answers during or after the examination, or who violates other procedures for the examination as listed in the examination instructions will be subject to disciplinary proceedings as provided for the Board Rule 121-5, at the discretion of the appropriate division.

(3) The appropriate division may, at its sole discretion, release the grade to a failing applicant. Individual papers may not be reviewed with the applicant nor shall the applicant be permitted to inspect either questions or answers following the examination.